

Kamran Fattahi (150,343)
LAW OFFICES OF KAMRAN FAITAHI
15303 Ventura Boulevard, Suite 1400
Sherman Oaks, California 91403
Tel: (818) 205-0140
Fax: (818) 205-0145
E-mail: Kamran@FattahiLaw.com

Attorneys for Plaintiff / Counterclaim Defendant
Premier Nutrition, Inc.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

PREMIER NUTRITION, INC.,) Civil Case No. SACV 06-0827 AG (RNBx)

Plaintiff,

ORGANIC FOOD BAR, INC.,

Defendant..

**And Related Counterclaim by
Organic Food Bar, Inc Against
Premier Nutrition, Inc.**

Civil Case No. SACV 06-0827 AG (RNBx)

**PREMIER NUTRITION, INC.'S NOTICE
OF APPLICATION TO THE CLERK TO
TAX COSTS; AND DECLARATION OF
KAMRAN FATTABI IN SUPPORT**

Date: May 2, 2008

Time: 10:00 a.m.

Place: Room 1-053 (Santa Ana Courthouse)

PLEASE TAKE NOTICE that on the date and at the time and place indicated above, or as soon thereafter as it may be heard, as the prevailing party in this action, Plaintiff/Counterclaim Defendant, Premier Nutrition, Inc. (“Premier”), through its counsel of record, will and hereby move the Court for taxation of costs in its favor. This application is supported by the “Declaration of Kamran Fattahi” that is attached to this Notice and by the concurrently filed proposed “Bill of Costs”.

Premier is the prevailing party in this action, and thus entitled to recover its costs. On April 1, 2008, the Court entered an “Order Granting Plaintiff’s Motion for Summary Judgment” (see Court’s Docket Entry #133), and by virtue of the same docket entry (see the notation “Made JS-6. Case Terminated”), the Court dismissed the action in favor of Premier. [See Ex. 1 of Fattahi Decl.] Moreover, on

1 April 14, 2008, Defendant/ Counterclaimant Organic Food Bar, Inc. ("OFB") filed
2 a Notice of Appeal to the United States Court of Appeals for the Ninth Circuit.
3 [See Ex. 1 of Fattahi Decl.]

4

5 Dated: April 16, 2008

Kamran Fattahi

6 Kamran Fattahi
7 LAW OFFICES OF KAMRAN FATTABI
8 Attorneys for Plaintiff / Counterclaim Defendant,
9 Premier Nutrition, Inc.

Declaration of Kamran Fattahi

I hereby declare and represent the following:

1. My name is Kamran Fattahi, and am an attorney at the Law Offices of Kamran Fattahi. My law firm and I are counsel of record in this civil action for Premier Nutrition, Inc. (“Premier” or “Premier Nutrition”).

2. I am submitting this Declaration in connection with the above-identified lawsuit between Premier and Organic Food Bar, Inc. (“OFB”), and in support of Premier’s Application to Tax Costs.

3. This Declaration is made on my personal knowledge and if called upon to do so, I could and would give competent testimony to the matters stated herein.

4. Attached as **Exhibit 1** is a true copy of the Court's Civil Docket Report for the instant action, covering the dates of September 28, 2007 through today.

5. Attached as **Exhibit 2** is the “Summary of Premier’s Proposed Bill of Costs,” which shows additional details for the cost items reflected in Premier’s concurrently filed proposed Bill of Costs. True and correct copies of invoices and receipts for items 1 through 8, and 14-15 shown in said Summary are also included in Exhibit 2 after the Summary table. Sufficient explanation and detail is provided in the Summary table for the remaining cost items.

I declare under penalty of perjury under the laws of the United States of America that the foregoing statements are true and correct. Executed in Sherman Oaks, California.

Dated: April 16, 2008

Norman Falster

Kamran Fattahip

Ex. 1

(RNBx), AO279, APPEAL, CLOSED, DISCOVERY, PROTORD

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA (Southern Division - Santa Ana)

CIVIL DOCKET FOR CASE #: 8:06-cv-00827-AG-RNB

Premier Nutrition v Organic Food Bar
Assigned to: Judge Andrew J. Guilford
Referred to: Magistrate Judge Robert N. Block
Cause: 15:1051 Trademark Infringement

Date Filed: 09/01/2006
Date Terminated: 03/27/2008
Jury Demand: Defendant
Nature of Suit: 840 Trademark
Jurisdiction: Federal Question


Plaintiff

Premier Nutrition
Inc, a California corporation

represented by **Kamran Fattahi**
Kamran Fattahi Law Offices
15303 Ventura Boulevard, Suite 1400
Sherman Oaks, CA 91403
818-205-0140
Email: kamran@fattahilaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V

Defendant

Organic Food Bar
Inc, a California corporation

represented by **Jennifer A Trusso**
Stradling Yocca Carlson & Rauth
660 Newport Center Drive, Suite 1600
Newport Beach, CA 92660-6442
949-725-4170
Email: jtrusso@sycr.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jan P Weir
Stradling Yocca Carlson and Rauth
660 Newport Center Drive, Suite 1600
Newport Beach, CA 92660-6442
949-725-4000
Email: jweir@sycr.com
ATTORNEY TO BE NOTICED

Peter L Wucetich
Stradling Yocca Carlson & Rauth
660 Newport Center Drive Suite 1600
Newport Beach, CA 92660
949-725-4074
Email: pwucetich@sycr.com
ATTORNEY TO BE NOTICED

(4)

Steven M Hanle
 Stradling Yocca Carlson and Rauth
 660 Newport Center Drive, Suite 1600
 Newport Beach, CA 92660-6442
 949-725-4192
 Email: shanle@sycr.com
ATTORNEY TO BE NOTICED

Counter Claimant

Organic Food Bar
Inc, a California corporation

represented by **Jan P Weir**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jennifer A Trusso
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Steven M Hanle
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Peter L Wucetich
 (See above for address)
ATTORNEY TO BE NOTICED

V.

Counter Defendant

Premier Nutrition
Inc, a California corporation

represented by **Kamran Fattahi**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/28/2007	108	DECLARATION of Kamran Fattahi in support of Premier Nutrition, Inc 's MOTION for Summary Judgment [23] filed by Counter Defendant Premier Nutrition, Plaintiff Premier Nutrition. (te) (Entered: 09/07/2007)
08/28/2007	109	NOTICE OF MOTION AND MOTION for Summary Judgment filed by Plaintiff/Counterclaim Defendant Premier Nutrition. Motion set for hearing on 9/17/2007 at 10:00 AM before Judge Andrew J Guilford. (te) (Entered: 09/07/2007)
08/28/2007	110	MEMORANDUM of Points and Authorities in Support of MOTION for Summary Judgment [109] filed by Plaintiff/Counterclaim Defendant Premier Nutrition (te) (Entered: 09/07/2007)
09/05/2007	112	OPPOSITION to MOTION for Summary Judgment [109] filed by Counter Claimant, Defendant Organic Food Bar. (ad) (Entered: 09/18/2007)

(5)

09/05/2007	113	STATEMENT of Genuine Issues in Response to Plaintiff's Statement of Alleged Uncontested Facts filed by Counter Claimant, Defendant Organic Food Bar. (ad) (Entered: 09/18/2007)
09/05/2007	114	DECLARATION of Jennifer A Trusso in Opposition to MOTION for Summary Judgment [109] filed by Counter Claimant, Defendant Organic Food Bar (ad) (Entered: 09/18/2007)
09/05/2007	115	DECLARATION of Monique M Heyninck in support of Opposition to MOTION for Summary Judgment [109] filed by Counter Claimant, Defendant Organic Food Bar. (ad) (Entered: 09/18/2007)
09/05/2007	116	PROOF OF SERVICE filed by defendant and counter claimant Organic Food Bar, re Declaration [115], Declaration [114], Opposition to Motion [112], Statement of Genuine Issues [113] served on 9/4/07. (ad) (Entered: 09/18/2007)
09/10/2007	117	PREMIER NUIRITION, INC.'S REPLY Re MOTION for Summary Judgment [109] filed by Plaintiff Premier Nutrition. (te) (Entered: 09/20/2007)
09/10/2007	118	SECOND DECLARATION OF KAMRAN FATTAHY RE PREMIER NUTRITION, INC.'S REPLY AND IN SUPPORT OF MOTION for Summary Judgment [109] filed by Counter Defendant Premier Nutrition, Plaintiff Premier Nutrition. (te) (Entered: 09/20/2007)
09/12/2007	111	MINUTES OF (IN CHAMBERS) ORDER by Judge Andrew J Guilford: CONTINUING ORAL ARGUMENT Previously Scheduled for 9/17/07: RE MOTION for Summary Judgment[109]. Motion reset for hearing on 10/15/2007 at 10:00 AM before Judge Andrew J. Guilford. (ila) (Entered: 09/12/2007)
09/12/2007	119	EVIDENTIARY OBJECTIONS to the Declaration filed in support of Plaintiff's MOTION for Summary Judgment[109] filed by Counter Claimant, Defendant Organic Food Bar (ad) (Entered: 09/26/2007)
09/12/2007	120	OBJECTIONS to Defendant's Evidence presented in Opposition to MOTION for Summary Judgment [109] filed by Counter Defendant, Plaintiff Premier Nutrition. (ad) (Entered: 09/26/2007)
09/12/2007	121	NOTICE OF LODGMENT of Copy of Cited Court Opinion Re MOTION for Summary Judgment [109] filed by Counter Defendant, Plaintiff Premier Nutrition. (ad) (Entered: 09/26/2007)
10/12/2007	122	ORGANIC FOOD BAR, INC.'S EX PARTE APPLICATION for Leave to file a supplemental brief in opposition to Premier Nutrition, Inc 's Motion for Summary Judgment; filed by Defendant and Counter-Claimant Organic Food Bar, Inc. (te) (Entered: 10/15/2007)
10/12/2007	123	DEFENDANT AND COUNTERCLAIMANT Organic Food Bar, Inc.'s Supplemental Brief in opposition to Premier Nutrition, Inc 's Motion for Summary Judgment, Re Motion for Summary Judgment [109]; filed by Defendant and Counterclaimant Organic Food Bar, Inc. (te) (Entered: 10/15/2007)
10/12/2007	124	DECLARATION OF MONIQUE HEYNINCK in support of Organic Food Bar, Inc 's supplemental brief in opposition to Premier Nutrition, Inc 's Motion for Summary Judgment, Re Motion for Summary Judgment [109], Defendant/Counterclaimant's Supplemental Brief [123]; filed by Defendant and Counterclaimant Organic Food Bar, Inc. (te) (Entered: 10/15/2007)
10/12/2007	125	DECLARATION OF HAL L PORET in support of Organic Food Bar, Inc 's

(6)

		opposition to Premier Nutrition, Inc 's Motion for Summary Judgment, Re Motion for Summary Judgment [109], Defendant/Counterclaimant's Supplemental Brief [123]; filed by Defendant and Counterclaimant Organic Food Bar, Inc (te) (Entered: 10/15/2007)
10/12/2007	126	PROOF OF SERVICE filed by Defendant and Counterclaimant Organic Food Bar, Inc., Re Ex Parte Application for Leave to file a supplemental brief in opposition to Premier Nutrition, Inc 's Motion for Summary Judgment [122], Declaration of Monique Heyninck (Motion Related) [124], Declaration of Hal L Poret (Motion Related) [125], Supplemental Brief (Motion Related) [123] served on Attorneys for Plaintiff, Premier Nutrition, Inc on 10/12/2007 (te) (Entered: 10/15/2007)
10/12/2007	127	PREMIER NUTRITION, INC.'S STATEMENT of Recent Developments, Re Its Motion for Summary Judgment [109]; filed by Plaintiff and Counterclaim Defendant Premier Nutrition, Inc. (te) (Entered: 10/15/2007)
10/15/2007	128	MINUTES OF Motion Hearing held before Judge Andrew J. Guilford: RE: MOTION for Summary Judgment [109]: Counsel argue the tentative ruling, a copy of which is attached hereto Matter is taken under submission. Court Reporter: Bridget Montero (rla) Modified on 10/24/2007 (rla,). (Entered: 10/24/2007)
11/06/2007	129	JOINT STIPULATION and REQUEST; and ORDER by Judge Andrew J. Guilford: TO AMEND Scheduling Order 12: Request Granted The "Scheduling Order Specifying Procedures," is amended as follows: Discovery Cut-Off 01/15/08; Final Pretrial Conference 03/31/08 at 8:30 AM; Trial 04/15/08 at 9:00 AM. IT IS SO ORDERED. (rla) (Entered: 11/13/2007)
01/02/2008	130	Second STIPULATION to Extend Discovery Cut-Off Date to 04/15/2008 filed by Plaintiff Premier Nutrition (Attachments: # 1 Proposed Order)(Fattahi, Kamran) (Entered: 01/02/2008)
01/07/2008	131	ORDER AMENDING SCHEDULING ORDER by Judge Andrew J. Guilford :Discovery cut-off is continued to 4/15/2008. Final Pretrial Conference is continued to 6/30/2008 08:30 AM before Judge Andrew J. Guilford. Jury Trial continued to 7/15/2008 09:00 AM before Judge Andrew J. Guilford. (lb) (Entered: 01/07/2008)
03/27/2008	133	ORDER GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT by Judge Andrew J. Guilford. (Made JS-6. Case Terminated.) (lb) (Entered: 04/01/2008) 
03/28/2008	132	Third STIPULATION to Extend Discovery Cut-Off Date to July 15, 2008 filed by Plaintiff Premier Nutrition (Attachments: # 1 Proposed Order)(Fattahi, Kamran) (Entered: 03/28/2008)
04/14/2008	134	NOTICE OF APPEAL to the 9th CCA filed by AppellantOrganic Food Bar. Re: Order 133 Filed on: 3/27/08; Entered on: 4/1/08. Appeal Fee BILLED (Weir, Jan) Modified on 4/15/2008 (car,). (Entered: 04/14/2008) 
04/14/2008	135	Civil Appeals Docketing Statement received from forwarded to 9th CCA. RE: Notice of Appeal to 9th Circuit Court of Appeals134 by Appellant Organic Food Bar, Inc. (Weir, Jan) (Entered: 04/14/2008)
04/15/2008	136	NOTICE OF APPEAL NOTIFICATION form issued regarding Notice of Appeal to 9th Circuit Court of Appeals134 as to Defendant Organic Food Bar (car) (Entered: 04/15/2008)

(7)

04/15/2008	137	FILING FEE LETTER issued as to Defendant Organic Food Bar, re Notice of Appeal to 9th Circuit Court of Appeals134 (car) (Entered: 04/15/2008)
04/15/2008	138	APPEAL FEE PAID: re Notice of Appeal to 9th Circuit Court of Appeals134 as to Appellant Organic Food Bar; Receipt Number: 14967 in the amount of \$455. (car) (Entered: 04/16/2008)

(X)

Ex. 2

Summary of Premier's Proposed Bill of Costs

(Premier Nutrition, Inc. v. Organic Food Bar, Inc.; Case No. SACV 06-0827 AG (RNBx)

Item	Date of Event	A: Fees of the Clerk	
1	8/31/06	Clerk of Dist. Ct. (Complaint filing fee)	\$350.00
		Subtotal A (1)	\$350.00
		B: Fees for Service of Summons and Subpoena	
2	9/6/06	Messenger Express (fee for service of summons & complaint)	\$125.50
3	4/4/07	Fees paid to process server Barry Minster for service of deposition subpoena to Linda Riley	\$95.00
		Subtotal B (2+3)	\$220.50
		C: Fees of the Court Reporter for Deposition Transcripts	
4	2/1/07	Hahn & Bowersock (copy of transcript of 1/12/07 deposition of Kerry Law, Premier's 30(b)(6) designee)	\$1,046.80
5	5/3/07	Hahn & Bowersock (copy of transcript of deposition of David Sinegal; 4-17-07 bill)	\$144.60
6	5/21/07	Chase Depo Services (5-6-07 bill for transcript of deposition of Linda Riley)	\$697.05
7	6/7/07	Chase Depo. Services (5-18-07 bill for transcript of deposition of Michael McCaskey)	\$1,493.10
8	12/27/07	Hahn & Bowersock (copy of transcript of deposition of Gretchen Wernert Noticed by OFB & taken on 12/3/07)	\$181.50
		Subtotal C (4+5+6+7+8)	\$3,563.05
		D: Fees for Witnesses	
9	1/12/07	Witness fees for OFB-noticed deposition of Kerry Law conducted at offices of OFB's counsel (witness appeared in his personal capacity and as Premier's Rule 30(b)(6) designee): (1) attendance fee of \$40/day; (2) transportation mileage fee of \$55.29 (114 miles roundtrip @ \$0.485/mile) from Carlsbad (location of Premier's office) to Newport Beach (location of OFB's counsel's office)	\$95.29

10	3/23/07	Witness fees for OFB-noticed deposition of Jessica Tree conducted at offices of OFB's counsel (witness appeared in her personal capacity as an employee of Premier): (1) attendance fee of \$40/day; (2) transportation mileage fee of \$55.29 (114 miles roundtrip @ \$0.485/mile) from Carlsbad to Newport Beach	\$95.29
11	4/11/07	Witness fees for OFB-noticed deposition of Robert Gilbert conducted at offices of OFB's counsel (witness appeared in his personal capacity as an employee of Premier): (1) attendance fee of \$40/day; (2) transportation mileage fee of \$55.29 (114 miles roundtrip @ \$0.485/mile) from Carlsbad to Newport Beach	\$95.29
12	9/26/07	Witness fees for OFB-noticed deposition of Christopher Geist conducted at offices of OFB's counsel (witness appeared in his personal capacity as an employee of Premier): (1) attendance fee of \$40/day; (2) transportation mileage fee of \$55.29 (114 miles roundtrip @ \$0.485/mile) from Carlsbad to Newport Beach	\$95.29
13	10/3/07	Witness fees for OFB-noticed deposition of Lance Rankin conducted at offices of OFB's counsel (witness appeared in his personal capacity as an employee of Premier): (1) attendance fee of \$40/day; (2) transportation mileage fee of \$55.29 (114 miles roundtrip @ \$0.485/mile) from Carlsbad to Newport Beach	\$95.29
14	4/4/07	Witness fee paid to non-party witness Linda Riley pursuant to Subpoena to Attend Deposition (check # 1556)	\$45.00
15	4/5/07	Witness fee paid to non-party witness Michael McCaskey pursuant to Subpoena to Attend Deposition (check # 1559)	\$45.00
		Subtotal D (9+10+11+12+13+14+15)	\$566.45
		E: Document Preparation Costs (Copies of Exhibits Filed & Served) (Note: 2 sets filed with the Court; 1 set served on opposing counsel; 1 set for Premier's counsel's files)	
16	1/8/07	Exhibits to Declaration of Kamran Fattahi In Support of Premier's Motion for Summary Judgment, and In Support of Premier's Opposition to OFB's Motion for Preliminary Injunction (141 pages @ \$0.20/pg or \$28.20/set X 4 sets; 13 pages color @ \$0.75/pg or \$9.75/set X 4 sets)	\$151.80
17	1/11/07	Exhibits to Premier's Opposition to Ex Parte Application by OFB Re Continuance of Hearing On Premier's Motion for Summary Judgment (10 pages @ \$0.20/pg or \$2.00/set X 4 sets)	\$8.00
18	1/16/07	Exhibits to Declaration of Jocelyn Bates in Support of Opposition to OFB's Motion for Preliminary Injunction (4 pages color @ \$0.75/pg or \$3.00/set X 4 sets)	\$12.00

19	1/16/07	Exhibits to Second Declaration of Kamran Fattahi In Support of Premier's Opposition to OFB's Motion for Preliminary Injunction (21 pages @ \$0.20/pg or \$4.20/set X 4 sets)	\$16.80
20	2/5/07	Exhibits to Declaration of Kamran Fattahi In Support of Premier's Reply Re Motion for Summary Judgment (52 pages @ \$0.20/pg or \$10.40/set X 4 sets)	\$41.60
21	5/8/07	Exhibits to Declaration of Kamran Fattahi In Support of Premier's Motion for Attorney's Fees & Costs Against OFB and OFB's Counsel Re Deposition of David Sinegal; and In Opposition to OFB's Motion for Sanctions Re Same (74 pages @ \$0.20/pg or \$14.80/set X 4 sets)	\$59.20
22	6/4/07	Exhibits to Declaration of Kamran Fattahi In Support of Premier's Opposition to OFB's Motion to Compel Discovery (133 pages @ \$0.20/pg or \$26.60/set X 4 sets)	\$106.40
23	6/20/07	Exhibits to Premier's Objections to OFB's Reply Re OFB's Motion for Review of Ruling of Magistrate Judge Re Discovery Sanction Against OFB (2 pages @ \$0.20/pg or \$0.40/set X 4 sets)	\$1.60
24	7/17/07	Exhibits to Premier's Opposition to OFB's Motion for Review of Magistrate Court's Order Denying OFB's Motion to Compel Discovery (12 pages @ \$0.20/pg or \$2.40/set X 4 sets)	\$9.60
25	8/27/07	Exhibits to Declaration of Kamran Fattahi In Support of Premier's Motion for Summary Judgment (340 pages @ \$0.20/pg or \$68.00/set X 4 sets ; 13 pages color @ \$0.75/pg or \$9.75/set X 4 sets)	\$311.00
26	9/10/07	Exhibits to Second Declaration of Kamran Fattahi Re Premier's Reply and In Support of Motion for Summary Judgment (57 pages @ \$0.20/pg or \$11.40/set X 4 sets)	\$45.60
27	9/12/07	Exhibits to Premier's Notice of Lodgment of Copy of Cited Court Opinion Re Premier's Motion for Summary Judgment (15 pages @ \$0.20/pg or \$3.00/set X 4 sets)	\$12.00
28	9/12/07	Exhibits to Premier's Objections to OFB's Evidence Presented In Opposition to Premier's Motion for Summary Judgment (6 pages @ \$0.20/pg or \$1.20/set X 4 sets)	\$4.80
		Subtotal E (16+17+18+19+20+21+22+23+24+25+26+27+28)	\$780.40
		TOTAL COSTS (A+B+C+D+E)	\$5,480.40

Item 1

Law Offices of Kamran Fattahi
(A Professional Corporation)
15303 Ventura Blvd., Suite 1400
Sherman Oaks, CA 91403
(818) 205-0140

1556

00-71723222

Apri. 4 2007

PAY TO THE Linda Riley

AMOUNT \$ 45 00

Forty Five Only

CITIBANK [Br. #792, 818-377-3077]
15601 Ventura Blvd., Encino, CA 91363

Subpoena in
Premier v. OFB

Kamran Fattahi

1556

Item 14

Item 15

Ck Date: 04/20/2007 Ck No: 1559 Amt: \$45.00

BARRY MINSTER SERVICES

Investigations ***** Bonded Process Service ***** Confidential Couriers

30802 Bayonne Ct. (310) 738-6408
Westlake Village, CA 91362

SERVICE ORDER NO.	DATE	CALL PLACED BY:
	4-4-07	K.F
CHARGE TO: <i>K. Father Esp</i>		
ADDRESS: <i>15303 Ventura #1 1/805</i>		
PICK UP FROM: <i>Same</i>	PICK UP TIME:	
ADDRESS:		
DELIVER TO: <i>Linda Riley</i>	DELIVERY TIME:	
ADDRESS: <i>72 Corona Long Beach 90803</i>		
<input checked="" type="checkbox"/> DIRECT	<input type="checkbox"/> RETURN	
DESCRIPTION: <i>Sever Dept Subpoena</i>		YOUR FILE OR REFERENCE # <i>Premier U. OFB</i>
SUMMARY OF CHARGES		
BASIC CHARGE	9500	
ADD'L SERVICE		
TIME		
RECEIVED IN GOOD ORDER BY: <i>X</i>	COPIES	
PLEASE PRINT NAME: <i></i>	CASH	
	ADVANCE	
	TOTAL	9500

Item 3

INVOICE

Hahn & Bowersock, Inc.
 151 Kalmus
 Suite L-1
 Costa Mesa, CA 92626
 Phone: 800-660-3187 Fax: 714-662-1398

Invoice No.	Invoice Date	Job No.
346527***	1/31/2007	285443
Job Date	Case No.	
1/12/2007	SACV06-827	
Case Name		
Premier Nutrition vs. Organic Food Bar		
Payment Terms		
Due upon receipt		

1 CERTIFIED COPY OF TRANSCRIPT OF:

Kerry T. Law - Nonconfidential

613.45

1 CERTIFIED COPY OF TRANSCRIPT OF:

Kerry T. Law - Confidential

433.35

TOTAL DUE >>> \$1,046.80

COD

Thank You. We appreciate your business.

2-1-07 paid by Visa

Tax ID: 33-0269800

Phone: 818-205-0140 Fax: 818-205-0145

Please detach bottom portion and return with payment.

Job No. : 285443 BU ID : OC-DEPO

Case No. : SACV06-827

Case Name : Premier Nutrition vs. Organic Food Bar

Invoice No. : 346527*** Invoice Date : 1/31/2007

Total Due : \$ 1,046.80

Remit To: Hahn & Bowersock, Inc.
 151 Kalmus
 Suite L-1
 Costa Mesa, CA 92626

(15)

Item 4

INVOICE

Kamran Fattahi
Kamran Fattahi Law Offices
15303 Ventura Boulevard
Suite 1400
Sherman Oaks, CA 91403

Invoice No.	Invoice Date	Job No.
349555	4/17/2007	288800
Job Date	Case No.	
3/22/2007	SACV06-827	
Case Name		
Premier Nutrition vs. Organic Food Bar		
Payment Terms		
Due upon receipt		

1 CERTIFIED COPY OF TRANSCRIPT OF:

David Sinegal

144.60

TOTAL DUE >>>

\$144.60

Thank You. We appreciate your business.

pd 5/3/07 via fax
by 144.60

Tax ID: 33-0269800

Phone: 818-205-0140 Fax: 818-205-0145

Please detach bottom portion and return with payment

Job No. : 288800 BU ID : OC-DEPO

Case No. : SACV06-827

Case Name : Premier Nutrition vs. Organic Food Bar

Invoice No. : 349555 Invoice Date : 4/17/2007

Total Due : \$ 144.60

Item 5

Remit To: **Hahn & Bowersock, Inc.**
151 Kalmus Dr.
Suite L-1
Costa Mesa, CA 92626

(16)

CHASE DEPOSITION SERVICES
 1370 Brea Boulevard
 Suite 116
 Fullerton, CA 92835
 (800) 949-8044 Fax (714) 447-9002

Kamran Fattahi
 Law Offices of Kamran Fattahi
 15303 Ventura Blvd.
 Suite 1400
 Sherman Oaks, CA 91403

I N V O I C E

INVOICE NO.	DATE	JOB NUMBER
2521	05/06/2007	01-7913
JOB DATE	REPORTER(S)	CASE NUMBER
04/18/2007	WASOFF	SACV 06-0827
CASE CAPTION		
Premier Nutrition, Inc. v. Organic Food Bar, Inc		
TERMS		
Due upon receipt		

ORIGINAL AND 1 CERTIFIED COPY OF TRANSCRIPT OF:

Linda Lee Riley

TOTAL DUE >>>	697.05
AFTER 07/05/2007 PAY	
766.76	

Thank you for choosing Chase Deposition Services!

\$697.05
 pd. 5-21-07
 #1586

TAX ID NO.: 20-0288392

(818) 205-0140 Fax (818) 205-0145

Please detach bottom portion and return with payment

Item 6

(17)

CHASE DEPOSITION SERVICES
 1370 Brea Boulevard
 Suite 116
 Fullerton, CA 92835
 (800) 949-8044 Fax (714) 447-9002

I N V O I C E

✓

INVOICE NO.	DATE	JOB NUMBER
2561	05/18/2007	01-7912
JOB DATE	REPORTER(S)	CASE NUMBER
04/19/2007	HINOSN	SACV 06-0827
CASE CAPTION		
Premier Nutrition, Inc v. Organic Food Bar, Inc.		
TERMS		
Due upon receipt		

ORIGINAL AND 1 CERTIFIED COPY OF TRANSCRIPT OF:
 Michael Christopher McCaskey

1,493.10

TOTAL DUE >>> 1,493.10

AFTER 07/17/2007 PAY 1,642.41

Thank you for choosing Chase Deposition Services!

pd 6-7-07
 trn # 1596
 \$ 1493.10

TAX ID NO.: 20-0288392

(818) 205-0140 Fax (818) 205-0145

Please detach bottom portion and return with payment

Item 7

(18)

INVOICE

**HAHN
BOWERSOCK**
CORPORATION
151 Kalmus Dr. Suite L1
Costa Mesa, CA 92626
(800) 660-3187 FAX (714) 662-1398
E-mail: clientservice@hahnbowersock.net

Kamran Fattahi, Esq.
Kamran Fattahi Law Offices
15303 Ventura Boulevard
Suite 1400
Sherman Oaks, CA 91403

Invoice No.	Invoice Date	Job No.		
359893	12/27/2007	302282		
Job Date	Case No.			
12/3/2007	SACV06-827AG			
Case Name				
Premier Nutrition Inc. vs. Organic Food Bar				
Payment Terms				
Due upon receipt				

1 CERTIFIED COPY OF TRANSCRIPT OF:

Gretchen K Wernert

181.50

TOTAL DUE >>>**\$181.50**

Thank You. We appreciate your business.

pd 1/15/08
Visa

Tax ID: 33-0269800

Phone: 818-205-0140 Fax: 818-205-0145

Please detach bottom portion and return with payment

Job No. : 302282 BU ID : OC-DEPO

Case No. : SACV06-827AG

Case Name : Premier Nutrition Inc. vs. Organic Food Bar

Invoice No. : 359893 Invoice Date : 12/27/2007

Total Due : \$ 181.50

Item 8

(19)

Remit To: **Hahn & Bowersock, Inc.**
151 Kalmus Dr.
Suite L-1
Costa Mesa, CA 92626

CERTIFICATE OF SERVICE

As attorney of record for Plaintiff / Counterclaim Defendant, I hereby certify that I caused the document(s) listed below to be served on the date indicated below on all parties to this action via the delivery method indicated and addressed to:

Via E-Mail and U.S. First Class Mail, Postage Prepaid

Jan P. Weir / Steven M. Hanle / Jennifer Trusso / Peter L. Wucetich
Stradling Yocca Carlson & Rauth
660 Newport Center Drive, Suite 1600
Newport Beach, CA 92660-6422
Tel: (949) 725-4000
Fax: (949) 725-4100

Document(s) Served:

1. Premier Nutrition, Inc.'s Notice of Application to the Clerk to Tax Costs; And Declaration of Kamran Fattahi In Support

Dated: April 16, 2008

Kooran Fathali

Kamran Fattahi
LAW OFFICES OF KAMRAN FAITAHI
Attorneys for Plaintiff / Counterclaim Defendant,
Premier Nutrition, Inc.